

2nd
ORIGINAL

(34)
11-13-02
SC

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HARRY E. WILLIAMS, : CIVIL ACTION
Plaintiff :
v. : NO.: 1:CV 01-0877
PENNSYLVANIA TURNPIKE, : (JUDGE RAMBO)
COMMISSION, :
: *MARY E. DANIEL, CLERK
Per
Deputy Clerk*

FILED
HARRISBURG, PA
NOV 12 2002

**PLAINTIFF RESPONSE TO DEFENDANT'S SUPPLEMENTAL BRIEF
TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff “concurred”, as strictly a courtesy, in Defendant’s Counsel’s indication that he intended to submit Judge Jones’ Opinion in *Edwards v. Pennsylvania Turnpike Commission* to this Court in the referenced matter.¹ Plaintiff does not, however, believe that Judge Jones’ decision is material or in any way relevant to the matter *sub judice* and Defendant, confoundingly, posits no argument as to how it is. Nevertheless, if Judge Jones’ Opinion will assist this Court in rendering a fair and impartial decision, then by all means, consider it.

¹ Interestingly, Defendant unreasonably opposed Plaintiff’s request in the *Edwards*’ case to submit the sworn deposition testimony of Ronald Frank, a witness in both cases, who stated that the relevant decision maker, Joseph McCool, instructed Frank to inform Williams that he would jeopardize his career with the Turnpike if he continued to assist “that crazy fucking nigger” in reference to Edwards. How Defendants can in good faith logically square their inconsistent positions escapes Plaintiff’s counsel; however, such is the nature of the fight against discrimination—both the employment action and the litigation strategies are built upon sheer “prejudice.”

Respectfully submitted,



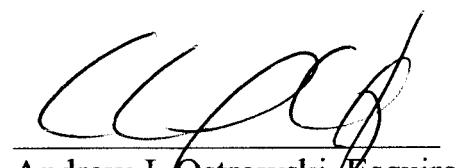
Andrew J. Ostrowski, Esquire
BAILEY, STRETTON & OSTROWSKI
4311 North 6th Street
Harrisburg, PA 17110
(717) 221-9500
Attorney for Plaintiff

Dated: November 12, 2002

CERTIFICATE OF SERVICE

I, Andrew J. Ostrowski, Esquire, hereby certify that a true and correct copy of the Plaintiff's Response To Defendant's Supplemental Brief To Defendant's Motion For Summary Judgment was served on Defendant's counsel by first class mail, postage pre-paid, addressed as follows:

John C. Romeo, Esquire
Fox, Rothchild, O'Brien & Frankel, LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103-3291



Andrew J. Ostrowski, Esquire

Dated: November 12, 2002